

Report Date: January 23, 2015

United States District Court

for the

Eastern District of WashingtonFILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON**Jan 23, 2015**

SEAN F. MCAVOY, CLERK

Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: Lorena M Sylvester

Case Number: 0980 4:14CR06023-001

Address of Offender: [REDACTED]

Name of Sentencing Judicial Officer: The Honorable Edward F. Shea, Senior U.S. District Judge

Date of Original Sentence: January 27, 2014

Original Offense: Possession with Intent to Distribute Marijuana, 21 U.S.C. § 841(a)(1) and
(b)(1)(B)(vii): 18 U.S.C. § 2

Original Sentence: TSR 47 months

Type of Supervision: Supervised Release

Asst. U.S. Attorney: Joseph H. Harrington

Date Supervision Commenced: August 19, 2014

Defense Attorney: Alex B. Hernandez, III

Date Supervision Expires: July 18, 2018

PETITIONING THE COURT**To issue a warrant.**

The probation officer believes that the offender has violated the following conditions of supervision:

Violation Number Nature of Noncompliance1 **Mandatory Condition #3:** The defendant shall not illegally possess a controlled substance.**Supporting Evidence:** Lorena Sylvester is considered to be in violation of her period of supervised release in the Eastern District of Washington by possessing Lidocaine on or prior to October 30, 2014.

On October 30, 2014, a probation search was conducted at the defendant's residence. During the search a Lidocaine pain patch was located on an upper shelf in a hallway closet. Lidocaine is a prescription pain medication. The defendant did not have a prescription for Lidocaine.

2 **Standard Condition # 7:** The defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any controlled substance or any paraphernalia related to any controlled substance, except as prescribed by a physician.**Supporting Evidence:** Lorena Sylvester is considered to be in violation of her period of supervised release in the Eastern District of Washington by possessing drug paraphernalia.

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During the search conducted on October 30, 2014, four used syringes with brown residue, a metal spoon with brown residue, and a clear plastic bag with brown residue were located in the defendant's bedroom in a plastic container. The defendant admitted the paraphernalia was hers, and the brown residue would be heroin.

- 3 **Special Condition # 20:** You shall abstain from the use of illegal controlled substances, and shall submit to testing (which may include urinalysis or sweat patch), as directed by the supervising officer, but no more than six tests per month, in order to confirm continued abstinence from these substances.

Supporting Evidence: Lorena Sylvester is considered to be in violation of her period of supervised release in the Eastern District of Washington by using Valium on or prior to October 30, 2014.

On October 30, 2014, the defendant provided a drug test for her chemical dependency treatment provider. The sample returned positive for benzodiazepines. The defendant admitted to this officer that she had used Valium. The defendant did not have a prescription for Valium.

- 4 **Special Condition # 21:** Defendant shall abstain from alcohol and shall submit to testing (including urinalysis and Breathalyzer), as directed by the supervising officer, but no more than six tests per month, in order to confirm continued abstinence from this substance.

Supporting Evidence: Lorena Sylvester is considered to be in violation of her period of supervised release in the Eastern District of Washington by using alcohol.

On November 17, 2014, the defendant attempted to commit suicide by consuming 27 Xanax pills and ingesting alcohol. The defendant was located by her boyfriend and emergency services were summoned.

- 5 **Special Condition # 19:** You shall undergo a substance abuse evaluation and, if indicated by a licensed/certified treatment provider, enter into and successfully complete an approved substance abuse treatment program, which could include inpatient treatment and aftercare. You shall contribute to the cost of treatment according to your ability to pay. You shall allow full reciprocal disclosure between the supervising officer and treatment provider.

Supporting Evidence: Lorena Sylvester is considered to be in violation of her period of supervised release in the Eastern District of Washington by being removed from inpatient chemical dependency treatment on December 31, 2014.

On December 11, 2014, the defendant entered into intensive inpatient treatment at Specialty Services II in Port Angeles, Washington. On December 28, 2014, a random urinalysis test was conducted as the defendant was acting erratically. The urinalysis test was confirmed for Buprenorphine and Norbuprenorphine. The defendant admitted she had used another patient's Suboxone. The defendant was terminated from treatment on December 31, 2014.

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Special Condition # 20: You shall abstain from the use of illegal controlled substances, and shall submit to testing (which may include urinalysis or sweat patch), as directed by the supervising officer, but no more than six tests per month, in order to confirm continued abstinence from these substances.

Supporting Evidence: Lorena Sylvester is considered to be in violation of her period of supervised release in the Eastern District of Washington by using Suboxone on December 28, 2014.

As noted above, the defendant used Suboxone which she obtained from another individual while attending inpatient treatment.

The U.S. Probation Office respectfully recommends the Court issue a warrant for the arrest of the defendant to answer the allegations contained in this petition.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: 01/23/2015

s/David L. McCary

David L. McCary
U.S. Probation Officer

THE COURT ORDERS

- ☐ No Action
- ☒ The Issuance of a Warrant
- ☐ The Issuance of a Summons
- ☐ Other



Signature of Judicial Officer

January 23, 2015

Date